

Appl. No. : 09/523,877  
Filed : March 13, 2000

#### REMARKS

Applicant files herewith a request for continued examination (RCE) for the present application. Claims 1-5, 14-20, 25-32, 37-40 and 42-52 were pending in the application. By this paper, Applicant has cancelled Claims 1-5, 14-20, 25-32, and 44-52 without prejudice,  
5 amended Claims 37, 38, 39, 40, and 43, and added new claims 53-63. Accordingly, Claims 37-40, 42-43, and 53-63 are presented herein for examination.

Applicant notes that the PTOL Form 326 and the substantive Office Action appear to be in error regarding Claim 41, previously cancelled.

#### 10 *Objections*

Per Pars. 3.- 8. of the Office Action, Claims 37 and 40 have been amended to address the matters identified by the Examiner. The new Claims presented herein have also been drafted with these matters in mind. Those matters addressed specifically to Claims 14, 20, 49 and 50  
15 are rendered moot by Applicant's cancellation of these claims herein.

Applicant submits that the foregoing amendments overcome all of the Examiners objections.

#### 20 *Rejections under §102*

By this paper, all claims rejected under 35 U.S.C. §102 in the Office Action have been cancelled without prejudice or disclaimer thereto, thereby rendering all such rejections moot.

#### *Rejections Under 35 U.S.C. §103*

25 Per Pars. 32-44 of the Office Action, independent Claims 37-40, stand rejected under 35 U.S.C. §103 over various art. Claims 37-40 have been amended herein to include limitations relating to the user configurability of the claimed inventions. Support for these amendments is found at, *inter alia*, page 6, line 30 of the specification as filed, as well as being detailed in Applicant's co-pending U.S. Patent Application Serial No. 09/418,663 entitled "Method And  
30 Apparatus For Managing The Configuration And Functionality Of A Semiconductor Design"

Appl. No. : 09/523,877  
Filed : March 13, 2000

filed October 14, 1999, which was incorporated by reference in the present invention in its entirety at time of filing thereof.

Additionally, limitations have been added to each of Claims 37-40 relating to the recited processor/design comprising a RISC processor.

5 None of the prior art cited by the Examiner teaches or suggest a user-configured and extended RISC processor as recited in Applicant's amended Claims. Specifically, the Examiner is referred to Section 3.1.1 of *Wirthlin* (cited by the Examiner in Par. 35 of the Office Action), wherein it states:

10 *"The inner most processor level is the nP core. This core is a general purpose processor that has been carefully developed to accommodate a wide range of custom instructions **and is not intended to be modified.**" {Emphasis added}*

Hence, *Wirthlin* teaches a "general purpose" (e.g., CISC) core that has its core configuration  
15 fixed. In contrast, Applicant's claimed inventions of Claims 37-40 (and in fact, its commercial products embodying the claimed inventions) are both user-configurable (i.e., the core configuration can, and in many cases necessarily must, be altered or purposely chosen), and extensible (i.e., the core and its instruction set can be appended with extension instructions and associated hardware). None of the Examiner's cited art (especially *Wirthlin*) teaches such  
20 functionality. In fact, *Wirthlin* pointedly teaches away from Applicant's inventions of Claim 37-40, since *Wirthlin* requires that the core configuration be fixed as explicitly stated in the citation presented above.

Hence, the Examiner as a matter of law cannot say that the inventions of Claims 37-40 as presented herein are rendered obvious by *Wirthlin* combined with any other reference, since  
25 *Wirthlin* teaches away from such combination (and Applicant's invention).

Accordingly, Applicant submits that Claims 37-40, and all those that depend therefrom, are novel and non-obvious over the cited art, and hence are in condition for allowance.

Appl. No. : 09/523,877  
Filed : March 13, 2000

*New Claims*

By this paper, Applicant has added new independent Claims 59, 60, 61, 62 and 63, which correspond generally to prior (now cancelled) dependent Claims 19, 26, 27, 30, and 31 respectively. These dependent Claims were all rejected solely under 35 U.S.C. §103 in the  
5 Office Action.

These new claims, however, include limitations on configurability and extensibility generally similar to those discussed above with respect to Claims 37-40.

Hence, Applicant submits that new Claims 59-63 are also in condition for allowance.

New dependent Claims 53-58 depend from Claims 37 and 38 either directly or  
10 indirectly, and hence are considered to be allowable as well.

*Other Remarks*

Applicant hereby specifically reserves the right to prosecute claims of different or broader scope, including those cancelled without prejudice herein, in a continuation or  
15 divisional application, as well as its rights of appeal.

Applicant notes that any cancellations or additions made herein are made solely for the purposes of more clearly and particularly describing and claiming the invention, and not for purposes of overcoming art or for reasons relating to patentability unless otherwise stated. The Examiner should infer no (i) adoption of a position with respect to patentability, (ii) change in  
20 the Applicant's position with respect to any claim or subject matter of the invention, or (iii) acquiescence in any way to any position taken by the Examiner, based on such cancellations or additions.

Furthermore, any remarks made with respect to a particular claim or claims shall be sol  
limited to only such claim or claims.

Appl. No. : 09/523,877  
Filed : March 13, 2000

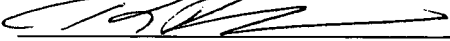
If the Examiner has any questions or comments which may be resolved over the telephone, he is requested to call the undersigned at (858) 675-1670.

5

Respectfully submitted,

GAZDZINSKI & ASSOCIATES

10 Dated: July 27, 2004

By:   
Robert F. Gazdzinski, Esq.  
Registration No. 39,990  
Attorney of Record  
11440 West Bernardo Court, Suite 375  
San Diego, CA 92127  
Telephone No. (858) 675-1670  
Facsimile No. (858) 675-1674

15